

CUSTOMER NO.: 24498
Serial No. 09/622,331
Date of Office Action: July 1, 2005
Date of Response: September 9, 2005

PATENT
RCA 89,400

REMARKS

Reconsideration of this application as amended is respectfully requested. Claims 17 and 18 have been canceled. As a result, claims 1-16 are in this application and are presented for the Examiner's consideration in view of the following comments.

Claims 17 and 18 have been rejected under 35 U.S.C. § 101. While Applicants do not agree, Applicants have canceled claims 17 and 18 in the interests of furthering prosecution. Applicants reserve the right to pursue the subject matter of these claims in a continuing application.

Claims 1 to 16 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,160,545 issued December 12, 2000 to Eyer et al. (*Eyer*) in view of the "Program Guide for Digital Television", ATSC Standard, Doc. A/55 (the *Guide*). Applicants respectfully disagree.

For the sake of argument only, Applicants will accept the Examiner's characterization of *Eyer*. However, the Examiner's characterization of the *Guide* somewhat misses the mark.

First, Applicants note that the definition of "version number" in the *Guide* for all the tables identified by the Examiner is **the same**, i.e.,

version_number — This 5-bit field is the version number of the whole program guide. The version number shall be incremented by 1 modulo 32 when a field in either the MPG or any SPG changes with the exception of the life_time and actual_time fields in the Master Guide Table.

The *Guide*, p. 8, 13 and 21.

Applicants' fail to see how a single version number replicated in all of the tables can possibly correspond to Applicants' claimed first version identifier and second version identifier found in independent claims 1 and 8.

Second, with respect to Applicants' independent claims 1 and 8, the Examiner points to Table 5.3 of the *Guide* as the secondary data table and including Applicants' claimed second version identifier in view of the "Channel Information Table" (CIT) of

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Table 5.7 of the *Guide*. Respectfully, the Examiner is wrong. Table 5.3 of the *Guide* describes the "Additional Guide Data Table" (AGDT). As defined in the *Guide*, the AGDT carries

carries the time_base list for the available physical transmission channels, the Program Guide Map, and the Default Override Records. The Additional Guide Data Table only appears in the MPG.

The *Guide*, p. 12.

From the above-cited text, the Examiner should note that the CIT is not included in the AGDT. As such, Applicants fail to see how the version number of the AGDT is "updated in response ... to a version change in a tertiary table hierarchically linked to said secondary table" as required by Applicants' independent claims 1 and 8.

Likewise, with respect to Applicants' independent claim 6, the *Guide* is lacking. In particular, the Examiner points to the "Channel Information Table" (CIT) and the "Event Information Table" (EIT) as meeting Applicants' claimed partitioning information, where the partitioning information includes

partition identifiers assigned to individual partitions of said program guide data, wherein said program guide data partitions are dynamically re-partitionable by re-assignment of said partition identifiers in said partitioning information.

Applicants' claim 6, Ins. 6-8, emphasis added.

Again, respectfully, the Examiner is wrong. Nowhere does the *Guide* describe or suggest Applicants' claimed partitioning information. While the CIT of the *Guide* may include a variable number of channel groupings, this is not Applicants' required partitioning information. As comparison, consider the carouselid data structure found in the illustrative CIT of FIG. 3 in Applicants' specification. An illustrative structure of the carouselid is shown in Applicants' FIG. 8 (Applicants' specification, p. 11, Ins. 13-19). Nowhere is a similar structure found in the CIT of the *Guide*. Similar comments apply to the EIT table of the *Guide*. Applicants request the Examiner point to the

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particular data structure in Tables 5.7 and 5.8 that correspond to Applicants' claimed requirements.

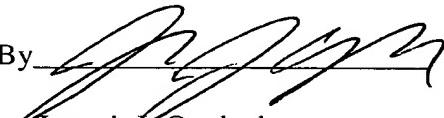
Finally, with respect to Applicants' independent claim 13, this claim requires a database in said ancillary information. Nowhere does the *Guide* describe or suggest Applicants' claimed database. Again, Applicants request the Examiner cite with particularity that portion of the *Guide* that has a database as claimed included within the ancillary information.

In view of the above, even if one were to combine *Eyer* and the *Guide*, this combination does not describe, or suggest, the requirements of Applicants' independent claims 1, 6, 8 and 13. As such, Applicants' respective dependent claims 2-5, 7, 9-12 and 14-16 are also patentable over *Eyer* in view of the *Guide*. Therefore, Applicants respectfully submit that this rejection of claims 1-16 has been overcome.

As it is believed that all of the objections set forth in the Official Action have been fully met, favorable reconsideration and allowance are earnestly solicited. If, however, for any reason the Examiner does not believe that such action can be taken at this time, it is respectfully requested that the Examiner telephone Applicants' attorney in order to overcome any additional objections that the Examiner might have.

If there are any additional charges in connection with this requested amendment, the Examiner is authorized to charge Deposit Account No. 07-0832 therefor.

Respectfully submitted
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